



05-2103

RCE/1600

AMSTER, ROTHSTEIN & EBENSTEIN

ATTORNEYS AT LAW

PATENTS • TRADEMARKS • COPYRIGHTS

90 PARK AVENUE

NEW YORK, NEW YORK 10016

TELEPHONE: (212) 697-5995

FACSIMILE: (212) 286-0854

NEAL L. ROSENBERG
DENISE A. LINDENAUER
NANCY M. DODDERIDGE
PATRICK BOLAND*
TREBOR LLOYD
JOSEPH M. CASINO
JOHN S. ECONOMOU
MICHAEL V. SOLOMITA
HOLLY PEKOWSKY
MICHAEL P. KENNEY
MARION P. METELSKI*
MAX VERN
DANA R. METES
KARL J. KOLBINGER

BRIAN A. COMACK
RICHARD S. MANDARO
NATALIE BOGDANOS
MARC J. JASON
ELIE H. GENDLOFF, PH.D.*
DAVID MITNICK
CHARLES W. RATH
BERNARD MAISTER, M.D.*
DAVID A. BOAG
KAREN J. BERNSTEIN
MATTHIEU HAUSIG
JUNG HAHM
REIKO KAJI
ALAN MILLER, PH.D.

* NOT ADMITTED IN NEW YORK

May 20, 2003

via Express Mail

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop RCE

"Express Mail" mailing label No. EV 337090974

Date of Deposit: May 20, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Alan D. Miller

Signature:

Re: U.S. Utility Patent Application Serial No. 09/531,969 - Small Entity Status
Title: GENE THERAPY FOR REGULATING SMOOTH MUSCLE TONE
Inventor: Jan Geliebter, George J. Christ, Arnold Melman, and Jamil Rehman
Filed: March 21, 2000
Our File: 96700/596

Dear Sir:

Enclosed please find the following documents for filing with the above-identified patent application in the names of Jan Geliebter, George J. Christ, Arnold Melman, and Jamil Rehman, entitled GENE THERAPY FOR REGULATING SMOOTH MUSCLE TONE, comprising the following:

1. a Request for Continued Examination (RCE) Transmittal form (1 page);
2. Preliminary Amendment And Petition For A Three Month Extension Of Time (6 pages), including a Declaration of Dr. George J. Christ (4 pages) (Exhibit A);
3. Information Disclosure Statement, including form PTO/SB/08A-B (2 pages) (Exhibit B), references cited (Exhibits 1-10) and a copy of a Supplementary Partial European Search Report (Exhibit 11);

May 20, 2003

4. an Amster, Rothstein & Ebenstein check in the amount of \$840.00 to cover the \$465.00 fee for a three month extension of time and the \$375.00 fee for filing a Request for Continued Examination for a small entity; and
5. a Return receipt postcard.

Small entity status was previously established and is still proper.

Please acknowledge receipt of the enclosed papers by stamping the enclosed postcard and returning the same to us.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN
Attorneys for Applicants
90 Park Avenue
New York, New York 10016
(212) 697-5995

Dated: May 20, 2003
New York, New York

By: _____



Craig J. Arnold
Registration No. 34,287
Alan D. Miller
Registration No. 42,889